

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

SUITS – Land Acquisition –PJP – GADWAL -Mahabubnagar District – Uppair (Village) Dharoor (Mandal) – O.P.No.46/2005 - Sanction of decretal charges of **Rs.1,31,31,313/-** Orders – Issued.

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IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 558

DATE:22.07.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/468/2008,  
Dt:27.05.08 alongwith the letter of Spl.Collector, SSP, Kurnool.

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ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, SSP, Kurnool has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.46/2005 pertaining to Uppair (V) Dharoor (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal has acquired the dry lands in Sy.No.8/2 etc for an extent of 83.30 acres of Uppair (V) by fixing the market value @Rs.33,000/- Rs.38,000/- & Rs.43,000/- per acre through Award No.18/2005, dt:28.02.2005. The awardees have filed petitions u/s 18 (1) of the L.A. Act for adjudication. The Sr.Civil Judge, Gadwal had delivered judgments enhancing the market value from Rs.33,000/-, Rs.38,000/- and Rs.43,000/- to Rs.87/- per Sq.Mt or Rs.3,52,077/- per acre in O.P.No.46/05, dt:18.07.2006. The SDC has filed appeal in the Hon'ble High Court of A.P, Hyd. The High Court of A.P has granted interim stay orders on condition to pay 50% of decretal amount. Accordingly, an amount of Rs.78,69,517/- was sanctioned and the same has been deposited in the Sr.Civil Court, Gadwal on 26.02.07. The Hon'ble H.C of A.P has dismissed the appeals confirming the judgments of Lower Court with modification of interest from the date of issue of 4(1) Notification in A.S.No.825/06, dt:18.12.2006. Further, the Spl.Collector has informed that the claimants have filed W.P before the Hon'ble H.C of A.P, Hyd to deposit the balance decretal amount to the credit of E.P.Nos.318 of 2005 in O.P.No.46/05 vide W.P.No.27185/07 and the Hon'ble H.C of A.P, Hyd has disposed the W.P on 20.12.2007 in terms of order in W.P.No.188412 of 2007 & batch dt:12.11.2007 wherein, while closing the W.P.recorded the request of G.P that two months time to deposit the award amount to the credit of E.Ps and the time given by the court was also over on 12.01.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,31,31,313/- Rupees One Crore thirty one lakhs thirty one thousand three hundred and thirteen only** in respect of O.P.No.46/2005(11Claimants) pertaining to Uppair (V) Dharoor (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired.

(PTO)

Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 - NSP- SH (26) - Dams and Appurtenant works - 530 Major Works - 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.2968/F2(2)/2008-1, dated 30.06.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, Kurnool

The Engineer-in-Chief, I&CAD, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.16380/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER